

Form	Respondents	Frequency	Average time per response
BLS-OSHA1 .....	57	Annually .....	2 hours.
BLS-OSHA2 .....	57	Quarterly .....	1 hour.

*Affected Public:* States.

*Total Burden Hours:* 342.

*Description:* The BLS enters into cooperative agreements with States and political subdivisions thereof, to assist them in developing and administering programs dealing with occupational safety and health statistics and to arrange through these agreements for research to further the objectives of the Occupational Safety and Health Act.

*Agency:* Bureau of Labor Statistics.

*Title:* Comp200 Test.

*Frequency:* One-time.

*Affected Public:* Within Albuquerque, NM, and Allentown, PA, metropolitan areas; Business or other for-profit; Not-for-profit institutions; State, Local or Tribal Government.

*Number of Respondents:* 574.

*Estimated Time Per Respondent:* 2 hours.

*Total Burden Hours:* 1,148.

*Description:* This collection is a test of a new method of identifying and classifying occupations within an establishment. If successful the new method could ultimately allow for joint collection of three separate surveys of wage and benefit data—the Occupational Compensation Survey Program, the Employment Cost Index, and the Employee Benefit Survey. In addition to evaluating the results of the test for use in future surveys, the BLS will also publish a bulletin for each area containing the occupational earnings data collected.

*Agency:* Employment Standards Administration.

*Title:* Application for Continuation of Death Benefit for Student.

*OMB Number:* 1215-0073.

*Agency Number:* LS-266.

*Frequency:* On occasion.

*Affected Public:* Individuals or households; Business or other for-profit.

*Number of Respondents:* 43.

*Estimated Time Per Respondent:* 30 minutes.

*Total Burden Hours:* 22.

*Description:* The Office of Workers' Compensation Programs, Division of Longshore and Harbor Workers' Compensation, provides for continuation of death benefit for a child or certain other surviving dependents if the dependent qualifies as a student. This form is used as an application for these benefits.

*Agency:* Employment Standards Administration.

*Title:* Black Lung Provider Enrollment Form.

*OMB Number:* 1215-0137.

*Agency Number:* CM-1168.

*Frequency:* On occasion.

*Affected Public:* Business or other for-profit.

*Number of Respondents:* 6,500.

*Estimated Time Per Respondent:* 3 to 7 minutes.

*Total Burden Hours:* 525.

*Total Estimated Costs for Operation and Maintenance:* \$2,080.

*Description:* 20 CFR 725.705 sets forth specific requirements for the Federal Black Lung Program to provide medical services to black lung beneficiaries and stipulates that these medical services will be performed by authorized medical providers. The CM-1168 is designed to facilitate the collection of information about medical providers and the payment of bills for the medical services they perform for the program.

*Agency:* Employment and Training Administration.

*Title:* Worker Profiling and Reemployment Service Systems Administrator Survey.

*Frequency:* One-time.

*Affected Public:* State, Local or Tribal Government.

*Number of Respondents:* 126.

*Estimated Time Per Respondent:* 10-50 minutes.

*Total Burden Hours:* 49.

*Description:* The Department of Labor is conducting a comprehensive evaluation of the operation and effectiveness of State Worker Profiling and Reemployment Service (WPRS) systems, as mandated by P.L. 103-152. The survey information will be used to describe how States have designed and implemented WPRS systems, and to identify distinct groupings or modes of State operational approaches. Respondents are State Unemployment Insurance, Employment Service and Economic Dislocated and Worker Adjustment Act administrators.

Theresa M. O'Malley,

*Acting Departmental Clearance Officer.*

[FR Doc. 95-29554 Filed 12-4-95; 8:45 am]

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## LEGAL SERVICES CORPORATION

### Grant Awards to Applicants for Funds To Provide Civil Legal Services to Eligible Low-Income Clients Effective as Early as January 1, 1996, or as Soon Thereafter as Feasible, Consistent With Pending Congressional Appropriations

**AGENCY:** Legal Services Corporation.

**ACTION:** Announcement of Grant Awards.

**SUMMARY:** The Legal Services Corporation (LSC/Corporation) hereby announces its intention to award grants and contracts to provide economical and effective delivery of high quality civil legal services to eligible low-income clients effective as early as January 1, 1996, or as soon thereafter as feasible consistent with pending Congressional appropriations.

**DATES:** All comments and recommendations must be received on or before the close of business on January 4, 1996.

**ADDRESSES:** Office of Program Services, Legal Services Corporation, 750 First Street, N.E., 11th Floor, Washington, D.C. 20002-4250.

**FOR FURTHER INFORMATION CONTACT:** Patricia M. Hanrahan, Office of Program Services, 202/336-8846.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Corporation's announcement of funding availability on September 21, 1995 (60 FR 48951), the LSC will award funds to one or more of the following organizations to provide civil legal services in the indicated service areas.

Name of Organization—Service areas identified in LSC RFP (Oct. 1995)

Lgl Svcs of the Virgin Islands Inc.—VI-1

Puerto Rico Lgl Svcs Inc.—PR-1, PR-2, MPR

These grants and contracts will be awarded under the authority conferred on LSC by the Legal Services Corporation Act, as amended (42 U.S.C. 2996e(a)(1)). Awards will be made so that each service area indicated is served by one of the organizations listed above, although each of the listed organizations is not necessarily guaranteed an award or contract. This public notice is issued pursuant to the LSC Act (42 U.S.C. 2996f(f)), with a

request for comments and recommendations concerning the potential grantees within a period of thirty (30) days from the date of publication of this notice. Grants will become effective as early as January 1, 1996, and funds will be distributed as soon thereafter as possible, consistent with pending Congressional appropriations.

Merceria L. Ludgood,

*Director, Office of Program Services.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-30947; License No. 37-28331-01 EA 94-089]

### Advacare Management Services, Inc., Bala Cynwyd, Pennsylvania; Order Imposing Civil Monetary Penalty

#### I

Advacare Management Services, Inc. (Licensee) is the holder of Materials License No. 37-28331-01 issued by the Nuclear Regulatory Commission (NRC or Commission), issued April 4, 1989, renewed most recently on May 9, 1994. The license authorizes the Licensee to possess and use byproduct material for diagnostic nuclear medicine studies in accordance with the conditions specified therein.

#### II

An inspection of the Licensee's activities was conducted on April 26-28, 1994. Subsequently, an investigation was conducted by the NRC Office of Investigations. The results of the inspection and investigation indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated August 30, 1995. The Notice states the nature of the violations, the provisions of the NRC's requirements that the Licensee had violated, and the amount of the civil penalty proposed for the violations.

The Licensee responded to the Notice in two letters, dated September 21, 1995. In its responses, the Licensee admits the violations as stated in the Notice, but requests mitigation of the civil penalty.

#### III

After consideration of the Licensee's response and the statements of fact, explanation, and argument for mitigation contained therein, the NRC

staff has determined, as set forth in the Appendix to this Order, that the violations occurred as stated and that the penalty proposed for the violations designated in the Notice should be imposed.

#### IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205, It is hereby ordered that:

The Licensee pay a civil penalty in the amount of \$2,500 within 30 days of the date of this Order, by check, draft, money order, or electronic transfer, payable to the Treasurer of the United States and mailed to Mr. James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

#### V

The Licensee may request a hearing within 30 days of the date of this Order. A request for a hearing should be clearly marked as a "Request for an Enforcement Hearing" and shall be addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, with a copy to the Commission's Document Control Desk, Washington, D.C. 20555. Copies also shall be sent to the Assistant General Counsel for Hearings and Enforcement at the same address and to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406.

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If the Licensee fails to request a hearing within 30 days of the date of this Order, the provisions of this Order shall be effective without further proceedings. If payment has not been made by that time, the matter may be referred to the Attorney General for collection.

In the event the Licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

Whether on the basis of the violations admitted by the Licensee, this Order should be sustained.

Dated at Rockville, Maryland, this 28th day of November 1995.

For the Nuclear Regulatory Commission,  
James Lieberman,  
*Director, Office of Enforcement.*

#### Appendix—Evaluations and Conclusion

On August 30, 1995 a Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was issued for violations identified during an NRC inspection and subsequent

investigation by the NRC Office of Investigations. Advacare Management Services, Inc. (Licensee) responded to the Notice on September 21, 1995. The Licensee admitted the Violations, but requested mitigation of the civil penalty. The NRC's evaluation and conclusion regarding the licensee's requests are as follows:

#### 1. Summary of Licensee's Request for Mitigation

In its responses, the Licensee contends that mitigating circumstances were not fully considered by the NRC. In support of its contention, the Licensee noted the following:

a. A prior inspection at the Bala Cynwyd facility identified few items of non-compliance and thus provided a level of managerial assurance that the radiation protection/compliance program was acceptable.

b. The term "promptly", as used on page 3 of Mr. Martin's letter dated August 30, 1995, is clearly a subjective word. The Licensee stated that its audit reports were received in January 1994 and the NRC inspection was on April 26-28, 1994. The Licensee stated that it was in the process of correcting the multiple minor areas of non-compliance identified in the audits and although some of the corrections were not completed by April 1, 1994, the majority were corrected by the enforcement conference and by subsequent spot check inspections by Region I inspectors between the June 1994 enforcement conference and the time of the Licensee's responses. The Licensee contends that its response was, in fact, reasonably prompt.

Therefore, the licensee requests that the combination of these factors should result in a modification of the proposed civil penalty from \$2,500 to \$1,250.

The Licensee further noted that it recognized and self-identified material weaknesses in its radiation safety program and contracted a consultant medical radiation physicist to assist the RSO in correcting those weaknesses and that the correction process was in place at the time of the inspection.

#### 2. NRC Evaluation of Licensee's Request for Mitigation

The fact that an inspection was conducted at the Bala Cynwyd facility, one of several Licensee facilities, and in which only a few items of noncompliance were noted, three years prior to the inspection conducted on April 26-28, 1994, does not alleviate the need for aggressive managerial oversight of the radiation safety program. In order to assure continued acceptable performance in the area of radiation safety, the Licensee is required to not only perform periodic audits of its radiation safety program in accordance with its commitments under the ALARA program, but in accordance with 10 CFR 35.23, through its Radiation Safety Officer (RSO) identify radiation safety problems, as well as initiate corrective actions and verify the implementation of those corrective actions.

Although the Licensee had corrected some of the individual violations identified by the NRC, it had not corrected the majority of